

REQUIREMENTS FOR POSTING CRIMINAL BOND(S) IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF GILA COUNTY

(Updated 08-19-15)

*******WE DO NOT ACCEPT VEHICLE TITLES OR DEEDS TO MOBILE/MANUFACTURED
HOMES*******

Please note the items listed below are for information purposes only. The reviewing Judge has final approval on what will be accepted. This procedure is a lengthy process and it is recommended that you appear no later than 2:00 P.M. to avoid having to return the next business day.

1. SECURED REAL PROPERTY BOND:

This involves the posting of a deed to real property (land) with the Clerk's Office, to secure the release of a defendant in a criminal case. The court requires the total value (equity) of the property to equal or exceed the amount of the bond.

NOTE: When using real property as secured bond, the Clerk's Office will issue and record a lien against the property. The lien will not be released until the case is over, or as ordered by a Judge.

All persons listed as owners on the deed to the property must appear at the office of the Clerk of the Superior Court of Gila County, 1400 E. Ash St., Globe, AZ, with the following documents.

Documents required for each piece of real property:

- a. Photo identification of all persons listed as owners of the property on the deed.
- b. The original or certified copy of the deed to the property.
- c. Computer print-out from the Gila County Assessor's Office indicating what value they have assessed the property to have or the tax statement from the Gila County Treasurer's Office.
- d. A document from the mortgage holder showing the current amount of equity in the property if the property is not paid in full.
- e. A **current (within 2 days)** Title Report from a title company showing there are NO LIENS OR JUDGMENTS on the property.
- f. If the property is NOT located in Gila County, the assigned prosecutor on the case must agree to accept out-of-county property PRIOR to the posting of the bond paperwork. It is the defense attorney's responsibility to obtain this agreement and to so advise the Judge and the Clerk.

A completed Appearance Bond form (form is available at the Office of the Clerk of the Superior Court).

Procedure:

- a. Bond amount must be verified before start of this procedure.
- b. The documents required (listed in a through g above) must be presented to Clerk's Office Personnel.
- c. The Appearance Bond form must be completed by the person(s) posting the bond.
- d. The completed Appearance Bond form must be taken to the jail by the person(s) posting the bond to obtain the defendant's signature as required on the form.
- e. The completed Appearance Bond form and all the required documents are then taken to the appropriate judge for approval.
- f. If the judge approves the bond a Release Order will be prepared and signed by the Judge. The Release Order will be processed and a copy of the order will be sent to the jail to secure the defendant's release from custody.

g. The Appearance Bond form and all required documents are retained in the court file until the case is completed, i.e., the defendant is sentenced or the case is dismissed.

2. **BAIL BOND (Paper Bond):**

This involves the posting of a bond obtained through a bail bondsman to secure the release of a defendant in a criminal case.

Bail bond companies require at least 10% of the total amount of the bond to be posted with them before the bond will be written.

Procedure:

- a. Person(s) wishing to post a bail bond must contact the bail bondsman themselves to find out what the bondsman requires to secure the bond.
- b. The bondsman will then take the bail bond document either to the Gila County Sheriff's Office (Jail) or to the Office of the Clerk of the Superior Court of Gila County to secure the defendant's release.
- c. If the bail bond is brought to the Clerk's Office, the amount of the bond will be verified to confirm that the correct amount is posted. If so, a Release Order will be prepared by Clerk's Office Personnel and submitted to a judge for signature. The Release Order will be processed and a copy will be sent to the jail to secure the defendant's release from custody.

3. **CASH BOND:**

******CREDIT CARDS CANNOT BE USED FOR POSTING CASH BONDS******

This involves the posting of money with the Office of the Clerks of Superior Court to secure the release of a defendant in a criminal case. The court requires the **total** amount of the bond to be posted with the Clerk's Office.

Person(s) wishing to post the bond must appear at the office of the Clerk of the Superior Court of Gila County, 1400 E. Ash St., Globe, AZ, or bond can be posted at the Sheriff's Office/Jail.

Procedure:

- a. Present Clerk's Office front counter personnel with the total amount of the bond, as follows: in cash, money order or cashier's check from a local bank and made payable to the **Clerk of the Superior Court**. The clerk taking the cash bond must verify the name and the mailing address of the person posting the bond, to whom the money will be returned to when the bond is exonerated. **If the mailing address changes, you must notify the Clerk's Office by providing written, notarized notice of any changes in address.**
- b. A Release Order is prepared by Clerk's personnel. The Release Order is processed and a copy is sent to the jail to secure the defendant's release from custody.